



PATENT  
ATTORNEY DOCKET NO. 44921-5029-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **William E. Munger *et al.*** )  
 )  
Application No.: **09/960,706** ) Group Art Unit: 1631  
 )  
Filed: **September 24, 2001** ) Examiner: Marjorie A. Moran  
 )  
For: **Identifying Drugs for and Diagnosis of** )  
 **Benign Prostatic Hyperplasia Using Gene** )  
 **Expression Profiles** )

Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window,  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. 121**

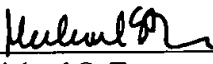
Sir:

In response to the Restriction Requirement dated July 16, 2003 (Paper No. 10), the period for response to which is extended to October 16, 2003 by the accompanying petition for a two-month extension of time, Applicants hereby elect Group VI, claims 32-38 and 53, which are drawn to a computer system comprising gene expression data, classified in class 700, subclass 90, with traverse.

**Except** for issues payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **October 15, 2003**  
Morgan, Lewis & Bockius LLP  
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202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
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